



CITY OF SAN JOSÉ, CALIFORNIA

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SAN JOSÉ ELECTIONS COMMISSION

Thomas Mertens, Chair
Fred de Funiak, Vice Chair
Jang Badhesha
Steven C. Chell
April Lin Walsh

SAN JOSÉ ELECTIONS COMMISSION MEETING MINUTES

JULY 12, 2006

I CALL TO ORDER

The Members of the San José Elections Commission convened at 5:00 p.m. in Room W-242 of City Hall, 200 E. Santa Clara Street, San José, CA 95113.

PRESENT: COMMISSIONERS Badhesha, deFuniak, Walsh and
Chair Mertens

ABSENT: COMMISSIONERS Chell

STAFF PRESENT: Alex Stuart - Consultant
Senior Deputy City Attorney Norm Sato
City Clerk Lee Price
Clerk Staff Member Michelle Estabillo

II APPROVAL OF MINUTES

- A. Minutes of May 1, 2006 were approved. Commissioner Walsh refrained from the vote (not yet on the commission).
- B. Minutes of May 31, 2006 were approved, with one minor correction (spelling of name).
- C. Minutes of June 14, 2006 were approved.
- D. Minutes of June 21, 2006 were approved, as amended (adding Commissioner DeFuniak's request to discuss the components of a reprimand).

III REPORT OF THE CHAIR

Chair Mertens mentioned that the San José Chamber of Commerce Political Action Committee (COMPAC) had filed a lawsuit against the City/Commission. He noted that the business of the Elections Commission will continue despite the law suit. Senior Deputy City Attorney Sato recommended that a discussion of the lawsuit be agendized for the next meeting.

IV PUBLIC HEARINGS

There were none.

V DISCUSSION ITEMS

- A. Commission discussion regarding the proposal for public financing of city council and mayoral campaigns in San Jose.

Documents Filed: 1) Report of San Francisco's limited public finance program submitted by Commissioner DeFuniak; and 2) Report submitted by Consultant Alex Stuart dated July 12, 2006, summarizing the Commissioners reports on public financing in other communities.

Chair Mertens reported that he met with Consultant Alex Stuart and Larry Gerston, head of the Political Science Department at San Jose State University, to discuss the concept of sponsoring a conference on public finance for the purpose of educating the citizens of San José. Discussion also included the public finance ballot measure put forward by the California Nurses Association.

Consultant Alex Stuart provided an overview of the Commissioners' report on public financing in other communities and provided suggestions on how to develop a proposal. Discussion ensued on intermediaries, alternatives to public financing, contribution limits, and voluntary spending limits. Commissioner DeFuniak commented on the public and candidates' participation and possible reactions to public finance.

Chair Mertens assembled a subcommittee (Walsh/Chell) to work on details of setting up community meetings and to meet with the Councilmembers or their Chiefs of Staff to obtain feedback on fundraising, limits on spending, and contribution limits. Consultant Alex Stuart recommended that the subcommittee also contact incumbents in other cities and ask for their reasoning for accepting or

rejecting public finance. Chair Mertens asked the City Clerk to provide him with a list of former City candidates to interview.

Commission DeFuniak, on behalf of Commissioner Chell, suggested that the City consider asking large organizations, unions, and corporations to contribute money to the General Fund as a way to help begin financing voter-owned campaigns. Brief discussion ensued about potential costs.

B. Update and Review of Lobbying, Campaign and Revolving Door Ordinances.

Commissioner DeFuniak stated that the subcommittee did not have any issues to discuss. Senior Deputy City Attorney Sato reported that staff will take forward to the Council in August the Election Commission recommendations for revising the lobbyist ordinance.

VI MEETING SCHEDULE

The next meeting is scheduled for August 16, 2006 at 5:00 p.m.

VII PUBLIC COMMENTS

Craig Dunkerly, volunteer from the California Clean Money Campaign, provided support for the concept and contact names for information.

VIII ADJOURNMENT

The meeting was adjourned at 7:07 p.m.

THOMAS M. (TOM) MERTENS, CHAIR

ATTEST:

LEE PRICE, MMC
CITY CLERK and SECRETARY TO THE COMMISSION